IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

MONDAY, THE 11TH JUNE 2007 / 21ST JYAISHTA 1929

WP(C).No. 6725 of 2007(A)

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PETITIONER:

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M.K.VELAYUDHAN, S/O. KUNHIRAMAN,
RAJALAKSHMI NIVAS, P.O.KAKKAD,
PUTHUPADY VIA, KOZHIKODE DISTRICT.

BY ADV. SRI.P.NARAYANAN

RESPONDENTS:

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1. THE DISTRICT COLLECTOR,
KOZHIKODE.

2. REVENUE DIVISIONAL OFFICER,
THALASSERY.

3. THE TAHSILDAR (R.R.),
KOZHIKODE.

4. VILLAGE OFFICER,
PUTHUPADY VIA, KOZHIKODE.

5. STATE OF KERALA, REP. BY
SECRETARY TO THE GOVT., REVENUE DEPARTMENT,
TRIVANDRUM.

BY GOVT. PLEADER SRI.I.V.PRAMOD.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 11/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**S.SIRI JAGAN, J.**

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**W.P(C) NO. 6725 OF 2007 - A**

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Dated this the 11th day of June, 2007

**J U D G M E N T**

The petitioner has been convicted in a criminal case for misappropriation. The matter is pending in appeal. In the mean time, revenue recovery proceedings have been initiated for recovery of misappropriated amount. The petitioner's property has been sold in auction. The petitioner now submits that he is prepared to pay the entire amount with interest, collection charges and costs incurred by the respondents and on that condition, the property may be returned to him.

2. The learned Government Pleader submits that if the petitioner remits the entire amount demanded within interest, collection charges and costs, the respondents are prepared to re-convey the property of the petitioner. In the above circumstances, the writ petition is disposed of as follows:-

The first respondent is directed to inform the petitioner as to what is the amount the petitioner has to pay for return of

the property to him within two weeks from the date of receipt of a copy of this judgment. On receipt of that information, the petitioner shall pay the amount, on payment of which the respondents shall take further steps to return the property to the petitioner within another two weeks. This is subject to the right of the petitioner to challenge the liability itself as and when the criminal case is finally decided.

**S.SIRI JAGAN,**
**Judge**

Mbs/